

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
JUR
KAS

F I L E D

FEB 26 2009

CLERK, U.S. DISTRICT COURT
By _____
Deputy _____

STEPHEN C. WALKER, PRO SE, §
also known as §
STEPHEN CLAYTON WALKER, §
TDCJ-CID No. 1417300, §
Previous TDCJ-CID No. 701711, §

Plaintiff, §

v. § 2:08-CV-0084

JOE S. NUNN ET AL., §

Defendants. §

PARTIAL ORDER OF DISMISSAL

Plaintiff STEPHEN C. WALKER, also known as STEPHEN CLAYTON WALKER, acting pro se and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against several defendants and was granted permission to proceed *in forma pauperis*.

On January 23, 2009, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of plaintiff's claims against defendant JOYCE VANDERBURG without prejudice for failure to state a claim on which relief can be granted.

The period for response has expired, and no objections have been filed by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion the

Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

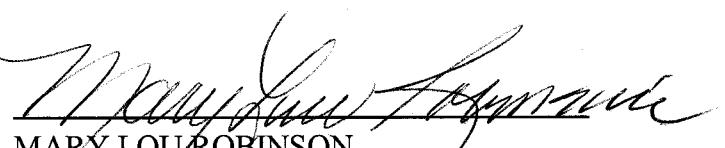
IT IS THEREFORE ORDERED that the Civil Rights Claims by plaintiff STEPHEN C. WALKER, also known as STEPHEN CLAYTON WALKER, against defendant JOYCE VANDERBURG are DISMISSED WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record.

IT IS SO ORDERED.

ENTERED this 26th day of February, 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE